REMARKS

Reconsideration of this application is respectfully requested. Claims 5, 6, 10, and 15 have been amended.

Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 1-11 and 15-22 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Under MPEP §2163.04, a "description as filed is presumed to be adequate, unless or until sufficient evidence or reasoning to the contrary has been presented by the examiner to rebut the presumption." In rejecting a claim, "the examiner must set forth express findings of fact which support the lack of written description conclusion." The Office Action states, "The specification makes only one conclusive statement (see page 26, lines 21-23)" for the limitation of "comparing a plurality of vendor specific instances of an electronic print job request object within a combined view." However, the Applicants submit that the specification further provides a written description at least on page 6 lines 19-24, page 17 lines 12-22, and page 22 lines 3-14. Given at least these written descriptions in light of the specification as a whole, the Applicants submit that the written description is sufficient to clearly allow persons of ordinary skill in the art to recognize that the invention is what is now claimed.

Accordingly, Applicants respectfully request the rejections to the claims under 35 USC §112, first paragraph be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-12 and 14-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,295,513 B1 of Thackston ("Thackston") in view of U.S. Patent No. 5,970,471 of Hill ("Hill"), and further in view of U.S. Patent No. 5,826,244 of Huberman ("Huberman"). The Applicants respectfully traverse the rejection because the combination does not teach each and every element of the invention as claimed.

The Thackston reference teaches a network-based interactive system that supports several phases of an engineering effort: the development and evaluation of an engineering design, the identification of potentially qualified fabricators, and the bidding and negotiation process to create an agreement for a qualified fabricator to manufacture a design in quantity (see column 4 lines 45-50). The Office Action states that the Thackston reference teaches "a plurality of vendor specific instances of a job request object" (see page 4 of Office Action). Particularly, the Office Action notes, "'templates' (col. 13, lines 11-16, col. 25, lines 25-58) correspond to request object and the changes made/negotiated/formalized during interactive communication processing with suppliers/vendors (col. 24, line 28-col. 25, line 25, col. 8, lines 45-58) corresponds to vendor specific instances of a job request in the application." Furthermore, the Office Action states that column 50 lines 43-65 disclose, "'The RFQ may include information pertaining to how many rounds of bids will be considered . . .', disclose series of iterative customer submissions and vendor responses."

However, the templates are not the same as "each vendor specific instance of the print job request object *defined through a series of iterative customer submissions and vendor responses to allow the customer to select one of the plurality of vendors to perform the print job project*" (emphasis added). Rather, the Thackston reference teaches that the templates may be used during the first phase of the engineering effort "as a starting point for creating an agreement" but does

not disclose how the agreement is to be further defined. The "round of bids" as defined in column 50 lines 43-65 is not related to the templates described above. The "round of bids" refers to the third phase of the engineering effort that "provides an electronic trading community (ETC) whereby a prime contractor/designer with a part design model can electronically solicit bids or proposals by issuing a request for quote (RFQ) or request for proposal (RFP) to fabricators" (see column 48 lines 26-30). That is, the templates relate to the design of the product during the first phase of the engineering effort where the characteristics of the product are defined and the "round of bids" from the RFQ separately relates to the third phase separate from the first phase. ("the NICECAD capability for virtual collaborative engineering, and the GMR capability for identifying qualified fabricators. In that embodiment, a prime contractor may utilize the NICECAD capability to create a part design model, stored at a server in a neutral format, in the virtual engineering environment. The prime contractor may then utilize the GMR capability to identify a pool of qualified fabricators. The prime contractor may then utilize the third aspect of the invention to solicit bids from this pool, or from a subset of the pool if the prime contractor decides to exclude certain fabricators for some reason" (see column 48 lines 32-43)).

Therefore, the product to be manufactured by the fabricators at the third phase of the engineering effort had been defined at an earlier phase and the fabricators do not define but may only view a model of the project that the fabricators may submit a bid to manufacture [see column 49 lines 46-55 "FIG. 27 further illustrates how the capabilities of the present system are used by a bidding fabricator in evaluating an RFQ. GMR graphics server 2710 (e.g., GMR server system 1000, FIG. 20) provides for manufacturing vendor engineer and craftsmen (2770) to view the stored part design model and associated features via, in the preferred embodiment, a Java™-enhanced browser (block 2760). Using the aforementioned CAD capabilities, vendor engineers and craftsman 2770 can examine the part design model according to various views."

The Huberman reference discloses the provision of document services by suppliers, such as professional print shops or publishers or in-house corporate or government document services departments, to customers, such as individuals, companies, or corporate or government departments (see Huberman column 3 lines 40-45). The Hill reference discloses the presenting of product images for review by a user on a computer (see Hill – Abstract). Neither the Huberman nor the Hill references disclose the features as recited above.

Therefore, the combination of references does not teach or suggest the "each vendor specific instance of the print job request object" is "defined through a series of iterative customer submissions and vendor responses," as recited in claim 1. Independent claims 5, 15, and 21 have features similar to those recited in claim 1. Therefore, at least for the reasons above, the remaining claims are patentable over the combination.

CONCLUSION

It is respectfully submitted that in view of the remarks and amendments set forth herein,

the applicable rejections have been overcome. If there are any additional charges, please charge

Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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